

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Angela D. Myers,) C/A No.: 1:11-934-SVH
)
Plaintiff,)
)
vs.) ORDER
)
Taylor Investments, Inc.,)
)
Defendant.)
)
)

In this employment discrimination case, Angela D. Myers (“Plaintiff”) is suing her former employer, Taylor Investments, Inc. (“Defendant”). Pursuant to Local Civil Rule 73.02(B)(1), the parties consented to have an United States Magistrate Judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings. [Entry #41]. On September 20, 2012, the Honorable Terry L. Wooten entered an order referring this matter to the undersigned for disposition in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73. [Entry #42].

A review of the docket reveals that along with her complaint [Entry #1], Plaintiff filed a motion to appoint counsel [Entry #2], which was denied at that early stage in the litigation [Entry #9]. Plaintiff has thus far proceeded pro se in this action. The deadline for dispositive motions expired on April 16, 2012, without motions having been filed. Therefore, this case appears to now be ready for trial.

The court has the power to exercise its discretion in appointing counsel for an indigent person in a civil action. 28 U.S.C. § 1915(e)(1); *Smith v. Blackledge*, 451 F.2d

1201 (4th Cir. 1971). The court finds it appropriate to appoint Brian Murphy, Esq., of Greenville, South Carolina, to represent Plaintiff in this case.

Attorney Murphy is appointed as pro bono counsel, meaning the court will not pay his attorney's fees. However, Attorney Murphy is to consult with Plaintiff as to his fee arrangement. To the extent Plaintiff is successful at trial, there may be applicable fee-shifting statutory provisions.

After Attorney Murphy communicates with Plaintiff and confirms her desire to proceed with this litigation, he is directed to file a Notice of Appearance on the docket by September 16, 2013. Thereafter, counsel for both parties are directed to file a status report concerning this case, the scheduling order, and their compliance with the court's order of mediation. [Entry #40].

IT IS SO ORDERED.



August 23, 2013
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge